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NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

2008-1205

OCT 14 2008

CELERITY, INC.,

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

Plaintiff/Counterclaim Defendant-Appellee,

v.

ULTRA CLEAN TECHNOLOGY SYSTEMS AND SERVICE, INC.,

Defendant/Counterclaimant-Appellant,

and

ULTRA CLEAN HOLDINGS, INC.,

Defendant-Appellant.

Keith L. Slenkovich, Thelen LLP, of San Jose, California, argued for plaintiff/counterclaim defendant-appellee. With him on the brief were Robert E. Camors, Jr., Christopher L. Ogden, Karin M. Frenza, and Tomomi K. Harkey.

Paul J. Andre, King & Spalding LLP, of Redwood Shores, California, argued for defendant/counterclaimant-appellant and defendant-appellant. With him on the brief were Lisa Kobialka and Amy Sun.

Appealed from: United States District Court for the Northern District of California

Judge Maxine M. Chesney

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United States Court of Appeals for the Federal Circuit

2008-1205

CELERITY, INC.,

Plaintiff/Counterclaim Defendant-
Appellee,

v.

ULTRA CLEAN TECHNOLOGY SYSTEMS AND SERVICE, INC.,

Defendant/Counterclaimant-
Appellant,

and

ULTRA CLEAN HOLDINGS, INC.,

Defendant-Appellant.

Judgment

ON APPEAL from the United States District Court for the Northern District of
California

in CASE NO(S). 05-CV-4374 and 05-CV-3560

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

Per Curiam (GAJARSA, DYK, and MOORE, Circuit Judges).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

DATED OCT - 9 2008



Jan Horbaly, Clerk

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

OCT 09 2008

JAN HORBALY
CLERK

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

NOTICE OF ENTRY OF JUDGMENT WITHOUT OPINION

JUDGMENT ENTERED: 10/09/08

The judgment of the court in your case was entered today pursuant to Rule 36. This Court affirmed the judgment or decision that was appealed. None of the relief sought in the appeal was granted. No opinion accompanied the judgment. The mandate will be issued in due course.

Information is also provided about petitions for rehearing and suggestions for rehearing en banc. The questions and answers are those frequently asked and answered by the Clerk's Office.

Costs are taxed against the Appellant(s) in favor of the Appellee(s) under Rule 39. The party entitled to costs is provided a bill of costs form and an instruction sheet with this notice.

The parties are encouraged to stipulate to the costs. A bill of costs will be presumed correct in the absence of a timely filed objection.

Costs are payable to the party awarded its costs. If costs are awarded to the government, they should be paid to the Treasurer of the United States. Where costs are awarded against the government, payment should be made to the person(s) designated under the governing statutes, the court's orders, and the parties' written settlement agreements. In cases between private parties, payment should be made to counsel for the party awarded costs or, if the party is not represented by counsel, to the party pro se. Payment of costs should not be sent to the court. Costs should be paid promptly.

Regarding exhibits and visual aids: Your attention is directed to FRAP 34(g) which states that the clerk may destroy or dispose of the exhibits if counsel does not reclaim them within a reasonable time after the clerk gives notice to remove them. (The clerk deems a reasonable time to be 15 days from the date the final mandate is issued.)

JAN HORBALY
Clerk

cc: Paul J. Andre
Keith L. Slenkovich

CELERITY V ULTRA CLEAN, 2008-1205
DCT - ND/CA, 05-CV-4374

U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT
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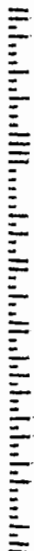
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NORTHERN DISTRICT OF CALIFORNIA

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